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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,155	01/19/2006	Tomohiro Ito	280231US6PCT	7639
22850	7590	10/02/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER LE, HUYEN D	
			ART UNIT 2615	PAPER NUMBER
			NOTIFICATION DATE 10/02/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/565,155	Applicant(s) ITO, TOMOHIRO	
	Examiner HUYEN D. LE	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/19/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the abstract should be limited to a single paragraph. Correction is required. See MPEP § 608.01(b).

Drawings

2. Figures 8-12 are should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. Claims 3, 7, 9 and 11-13 recite the limitation of a plurality of "headphone housings" in lines 3 and 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 4-6, 8 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by prior art (figures 8, 9, 10, 11, 12A, 12B, 12C) as admitted by the Applicant.

Regarding claims 1, 8 and 10, the admitted prior art teaches a headphone apparatus or a method and apparatus of a cord-winding device (figures 9, 10, 11) capable of winding and storing a cord (9) around a reel (14) which is pivotally fitted in a freely turnable manner to a pivot in a headphone housing or casing (2a, 2b). The admitted prior art further teaches the contact points (18a, 18b, 18c) provided in the headphone housing or casing, and a terminal board (17) provided in the reel (14) and including metal slip rings (19a, 19b, 19c).

Regarding claims 2 and 5, the admitted prior art further shows the terminal board (17) which is provided on the lower surface of the reel (figures 9, 10), and the contact points (18a, 18b, 18c) which are provided at a position opposed in a bored portion (14b) of the reel (14, figures 9, 12B, 12C and page 8, lines 8-22 in the specification). As shown in figures 9 and 10, two or more kinds of cords are simultaneously wound around the reel (14).

Regarding claim 4, the admitted prior art teaches an electronic apparatus (figures 9, 10, 11) capable of winding and storing a cord (9) around a reel (14) which is pivotally fitted in a freely turnable manner to a pivot provided in an upright position in a casing (2a, 2b) of a portable electronic apparatus. The admitted prior art further teaches the contact points (18a, 18b, 18c) provided in the headphone housing, and a terminal board (17) provided in the reel (14) and including metal slip rings (19a, 19b, 19c).

Regarding claim 6, the admitted prior art teaches the reel (14) which includes a hub and upper and lower flanges (figure 9), the terminal board (17) which is provided on the lower

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surface of the reel (figures 9, 10), brushes of the contact points (18a, 18b, 18c) which are provided in the electronic apparatus casing (2a, 2b) and opposed to the metal slip rings (19a, 19b, 19c) on the terminal board (see figures 9, 12B, 12C and page 8, lines 8-22 in the specification). As shown in figures 9 and 10, two or more kinds of cords are simultaneously wound around the reel (14).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3, 7, 9, 11, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over prior art (figures 8, 9, 10, 11, 12A, 12B, 12C) as admitted by the Applicant.

Regarding claim 3, 7, 9 and 11-13, the admitted prior art teaches that a ground input cord (9b) of an input plug (8) connected to a drive unit (3) in the headphone housing or casing (2a, 2b) is connected to terminals of the metal slip rings (19a, 19b, 19c), and a passage cord (10) as claimed (figures 9, 10, 12A, 12B, 12C). The admitted prior art lacks the teaching of a peeled portion made by partly peeling the ground input cord as claimed.

However, the admitted prior art does teach the electrical contact of the ground input cord (9, 9b) which is connected to terminals of the metal slip rings (19a, 19b, 19c).

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Therefore, it would have been obvious to one skilled in the art to provide a peeled portion for the ground input cord (9, 9b) at the connection to the terminals of the metal slip rings for an easy assembly and providing better electrical connections.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Luplow (U.S. patent 5,339,461) teaches a compact radio frequency receiver apparatus having take-up spool housed earphone conductors.

Hashimoto et al. (U.S. patent 6,480,611) teaches a headphone having a cord reel.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUYEN D. LE whose telephone number is (571) 272-7502. The examiner can normally be reached on 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SUHAN NI can be reached on (571) 272-7505. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/HUYEN D. LE/
Primary Examiner, Art Unit 2615

HL
September 25, 2008